

RESOLUTION 8430

RESOLUTION OF THE BOARD OF DIRECTORS OF
THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA CONSENTING TO THE
ANNEXATION OF ANNEXATION NO. THIRTY-NINE
UPON CONCURRENT ANNEXATION TO CALLEGUAS
MUNICIPAL WATER DISTRICT
AND FIXING THE TERMS AND CONDITIONS OF SAID
ANNEXATION TO THE METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA

A. WHEREAS, the Board of Directors of Calleguas Municipal Water District (Calleguas), a municipal water district, situated in the County of Ventura, State of California, pursuant to Resolution No. 925 adopted December 1, 1993 in accordance with the provisions of the Metropolitan Water District Act, has applied to the Board of Directors of The Metropolitan Water District of Southern California (Metropolitan) for consent to annex thereto certain uninhabited territory situated in the County of Ventura, particularly described in the attachment to Ventura Local Agency Formation Commission Resolution adopted December 16, 1992, (hereinafter referred to as Annexation No. 39), concurrently with the annexation thereof to Calleguas, such annexation to Metropolitan to be upon such terms and conditions as may be fixed by the Board of Directors of Metropolitan; and

B. WHEREAS, on December 16, 1992 the Ventura Local Agency Formation Commission approved the proposed annexation, by Resolution No. 92-10; and

C. WHEREAS, the Board of Directors of Metropolitan has considered the information contained in the Environmental Documentation in relation to proposed Annexation No. 39; and

D. WHEREAS, it appears to this Board of Directors that such application should be granted, subject to the terms and conditions hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Metropolitan considered the information in the Environmental Documentation; and subject to the following terms and conditions, does hereby grant the application of the governing body of Calleguas for consent to annex Annexation No. 39 to Metropolitan and does hereby fix the terms and conditions of such annexation:

Section 1. The annexation of said area to Calleguas shall be made concurrently with the annexation thereof to Metropolitan, and all necessary certificates, statements, maps, and other documents required to be filed by or on behalf of

Calleguas to effectuate the annexation shall be filed as required by law, on or before December 31, 1995.

Section 2. Prior to filing a request for a certificate of completion of the annexation proceedings with the Ventura Local Agency Formation Commission, Calleguas shall pay to Metropolitan, in cash, the sum of \$163,838.08 if the annexation will be completed by December 31, 1994. If the completion occurs during the 1995 calendar year, the then current per-acre rate shall be utilized in the annexation charge calculation.

Section 3.

a. Metropolitan shall be under no obligation to provide, construct, operate, or maintain feeder pipelines structures, connections, and other facilities required for the delivery of water to said area from works owned or operated by Metropolitan.

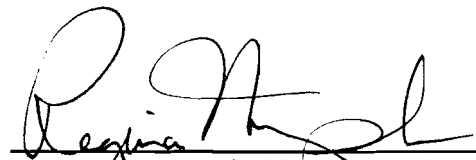
b. Calleguas shall not be entitled to demand that Metropolitan deliver to Calleguas for use, directly or indirectly, within said area, any Metropolitan water, except for domestic or municipal use therein.

c. The delivery of all water by Metropolitan, regardless of the nature of time or use of such water, shall be subject to regulations promulgated from time to time by Metropolitan.

d. Except upon terms and conditions specifically approved by the Board of Directors of Metropolitan, water sold and delivered by Metropolitan shall not be used in any manner which intentionally or avoidably results in the direct or indirect benefit of areas outside Metropolitan, including use of such water outside Metropolitan or use thereof within Metropolitan in substitution for other water used outside Metropolitan.

E. BE IT FURTHER RESOLVED that the Executive Secretary be, and she hereby is, directed to transmit forthwith to the governing body of Calleguas a certified copy of this resolution.

I HEREBY CERTIFY, that the foregoing resolution was adopted by the Board of Directors of The Metropolitan Water District of Southern California on January 11, 1994.


Secretary of the Board of Directors
of The Metropolitan Water District
of Southern California